

ADS Mandatory Reference: 103

File Name: 103513m1 DRCD 8

**DELEGATION OF AUTHORITY
TO
EUROPE AND NEW INDEPENDENT STATES (ENI)
FIELD POSTS**

December 20, 1995

Pursuant to the authority delegated to me as Assistant Administrator for Europe and the New Independent States (ENI), I hereby establish the following basic duties and responsibilities of, and delegate the following formal implementation authorities to, the principal officers of the U.S. Agency for International Development (USAID) in all USAID field posts, now or hereafter established in ENI countries.

- I. Duties and responsibilities of USAID principal officers at ENI field posts, subject to further detailed guidance:
 - A. Initiate design in consultation with country team of an appropriate country assistance strategy and of supporting processes including recommendations on budget and staff, allocations based on prioritized activities, report on progress toward achieving strategic objectives.
 - B. Provide input and recommendations to the bureau on project specific funding levels and priorities, program and policy issues, personnel and management issues and other matters, as requested by the bureau or initiated by the field post.
 - C. Provide proposals to the ENI Bureau, and concurrence on bureau proposals, with respect to new bilateral projects or country-specific activities in regional projects, or modifications to existing projects and activities: participate (as appropriate) in the design of projects, activities and modifications thereto including the preparation of project documentation, such as scopes of work, locations of activities, amount and type of technical assistance skills required and work plans with measurable impact indicators.
 - D. Initiate and participate in the implementation, management and evaluation of project and country-specific activities, including preparation of, or concurrence in implementation documents, evaluations plans and documents, the selection of technical advisers and other significant contract actions, and the programming and oversight of local currencies generated by U.S. assistance. Concur, prior to any assignment of

contractor/grantee personnel to the field, with that assignment and with the scope of work to be performed during that assignment.

- E. Take primary responsibility for monitoring project and country-specific activity implementation in the field, including regular site visits, direction and guidance to contractor/grantee personnel in the field consonant with their approved scopes of work, budget, work plans, and oversight of contractor/grantee performance in the field, furnishing reports thereon to the ENI Bureau.
 - F. Consult on a regular basis with appropriate host country officials and non-governmental organizations on assistance programs and ensure the appropriate involvement of such officials in the design, implementation, and evaluation of USAID programs and projects.
 - G. Coordinate the implementation in the field on all USAID activities with the activities of other U.S. government agencies, taking account of the assistance activities of other donors working in the country/region.
 - H. Manage program development and support (PD&S) funds (for NIS posts) and audit evaluation and program support (AEPS) funds (for CEE posts) assigned to the post.
- II. Formal implementation authorities of USAID principal officers for specific activities where the Bureau has delegated management responsibilities to the field post, subject to specific project/activity guidance, and recognizing that even where such responsibilities are retained in USAID/W, individual ad hoc authorities may be delegated:
- A. **Agreements.** Authority to negotiate, execute and implement, in accordance with the terms of the authorization thereof and in accordance with applicable statutes and regulations, loan, grant and guaranty (other than housing guaranty) agreements and amendments and other agreements or documents ancillary thereto, for assistance to their respective countries or regions. For purposes of this section, agreements refers to those with foreign governments or their agencies and international organizations having a membership consisting primarily of foreign governments.
 - B. **Memoranda of Understanding (MOUs).** Authority to negotiate and execute memoranda of understanding with host governments (central or local level) that do not obligate USAID funds, in accordance with any ENI guidance on the use and format of MOUs.
 - C. **Project Implementation Letters (PILs).** Authority to prepare, negotiate, sign and deliver PILS and amendments thereto.

- D. **Project Implementation Orders (PIOs).** Authority to sign or approve PIOs.
- E. **Conditions Precedent.** Authority to review and approve documents and other evidence submitted by grantees/beneficiaries in satisfaction of conditions precedent under such loan, grant, guaranty, or other agreements, or agreements ancillary thereto. Also the authority to extend the date for meeting conditions precedent for a cumulative period not to exceed six months.
- F. **PASA/RSSAs.** Authority to sign statements that proposed PASA or RSSA agreements are exempt from OMB Circular A-76.
- G. **Source, Origin and Nationality Waivers.** Authority to waive, in accordance with applicable statutes, regulations and other applicable USAID issuances, source, origin or nationality requirements to permit the procurement of commodities and services (other than transportation services) in countries outside the authorized geographic code, subject to the following:
 - 1. Each waiver shall be in writing and copies shall be sent to ENI/PD;
 - 2. Each waiver of the requirement that motor vehicles be manufactured in the United States shall contain a certification signed by the principal officer of the post that "Special circumstances exist to waive the requirements of Section 636 (I) of the FAA."
- H. **Host Country Contracts.** Authority for approval actions regarding host country contracts and contractors as set forth in USAID handbooks and other pertinent issuances and subject to further guidance from the ENI Bureau.
- I. **Other Authorities.** The USAID Mission Directors and Representatives shall have all other implementation authorities granted to USAID principal offices generally by USAID/Washington or by AA/ENI, subject to further guidance. Those authorities do not include project or activity approval authority is delegated hereby with respect to PD&S and AEPS funds allowed to each post. The right to exercise the "notwithstanding" authority, provided by the legislation for ENI programs, is not hereby delegated and is reserved to AA/ENI and to other USAID ENI officers as he/she may designate. Recommendations on the use of this authority, supported by adequate justification, may be made to AA/ENI principal officers in field posts.

III. **REVIEW AND CLEARANCES.** Prior to the exercise of the authorities delegated

herein, the field post should seek, as appropriate, technical, controller, procurement and legal review.

- IV. REDELEGATION OF AUTHORITIES. The authorities delegated herein may, in the discretion of the principal USAID general Delegations of Authority on any of the implementation authorities set forth above, be further redelegated to his/her deputy or, in a post without a deputy, based on adequate justification, to such officer as may be approved by AA/ENI.
- V. This Delegation of Authority is effective immediately.

 /s/
Thomas A. Dine
Assistant Administrator for
Europe and New Independent States

 1/5/95
Date

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